

REMARKS

As a preliminary matter, applicant appreciates the indication of allowable subject matter in claims 10-14. Claims 10, 11 and 12 have been rewritten in independent form. Claim 13 depends from claim 12 and claim 14 depends from claim 11, and claim 16 depends from claim 15. Claim 15 was not discussed, but has also been rewritten in independent form. Claim 16 depends from claim 15.

The features of claim 3 have been incorporated into claim 1, rendering the rejection in paragraph 2 moot.

Claims 1-9 stand rejected under § 103 on the basis of Suzuki. Applicant traverse this rejection as it relates to claim 3, because the cited reference does not disclose or suggest the claimed thickness.

The examiner argues that it would have been obvious to form the sound absorbing layer with a wide variety of dimensions, and that a conclusive showing of unexpected results has not been established. Such a showing is not needed in this case, however, because obviousness is determined against the claim as a whole, not an individual element. In this case, the combination of the recited density and the recited thickness is not disclosed or suggested by the cited reference. Accordingly, withdrawal of this rejection is respectfully requested.

The double patenting rejections will be addressed when this case is otherwise in condition for allowance.

For the foregoing reasons, applicant believes that this case is in condition for allowance, which is respectfully requested. The examiner should call applicant's attorney if an interview would expedite prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By 
Patrick G. Burns
Registration No. 29,367

August 11, 2008

300 South Wacker Drive
Suite 2500
Chicago, Illinois 60606
Telephone: 312.360.0080
Facsimile: 312.360.9315

Customer No. 24978